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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/497,620 ✓
Filing Date	February 3, 2000
First Named Inventor	Ott, et al.
Art Unit	3763
Examiner Name	Mendez, Manuel A.
Attorney Docket Number	1-15368

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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(Appeal Notice, Brief, Reply Brief)

<input type="checkbox"/> Proprietary Information

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Request for Consideration of an IDS
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|--|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MARSHALL & MELHORN, LLC		
Signature			
Printed name	D. Edward Dolgorukov		
Date	10/11/05	Reg. No.	26,266

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	D. Edward Dolgorukov	Date	10/11/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Lisa Donbroshy
(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
DOUGLAS E. OTT, et al.)	Group Art Unit 3763
Serial No. 09/497,620)	Examiner: Mendez, Manuel A.
Filed: February 3, 2000)	
For: METHOD AND APPARATUS)	Attorney Docket 1-15368
FOR CONDITIONING GAS FOR)	
MEDICAL PROCEDURES)	
HAVING HUMIDITY AND)	
RECHARGE ALERT)	

October 11, 2005

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REQUEST FOR CONSIDERATION OF AN INFORMATION DISCLOSURE
STATEMENT SUBMITTED BEFORE MAILING OF THE NOTICE OF
ALLOWANCE

Honorable Sir:

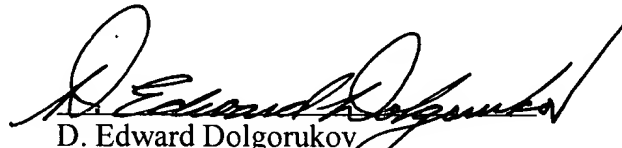
For reasons set forth below, it is respectfully requested that the US Patent and Trademark Office file for this application be promptly forwarded to Examiner Mendez, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statement filed have been considered.

On October 5, 2004 Applicants filed a Supplemental Information Disclosure Statement ("IDS") with PTO-1449 form attached, listing the references submitted for consideration. Copies of the cited references were also included. A Request for Continued Examination was filed at the same time. This IDS was received at the US Patent and Trademark Office on October 7, 2004, as shown on the returned, date-stamped postcard, a copy of which is attached. For the convenience of the Examiner, a copy of the IDS and the cited references filed October 5, 2004 are enclosed.

The Notice of Allowance for this application was mailed on September 21, 2005. However, Examiner Mendez has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the IDS filed October 5, 2004.

Accordingly, Applicant hereby requests confirmation of consideration of the previously filed IDS. Examiner Mendez is requested to initial the references listed on the PTO-1449 form to show that they were appropriately considered during examination of this application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 13-1816 of Marshall & Melhorn.

Respectfully submitted,


D. Edward Dolgorukov
Registration No. 26,266

ATTORNEYS

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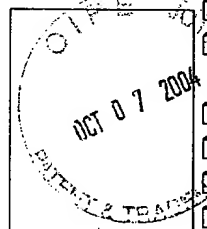


SERIAL NO. 02/497,620 FILED FEB. 3, 2000 CASE NO. 1-15368
PATENT NO. _____ ISSUED _____
APPLICANT(S): Douglas E. Ott, et al.

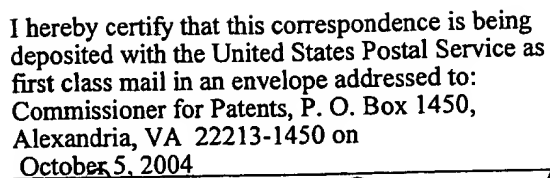
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ACKNOWLEDGES RECEIPT OF THE ABOVE PAPERS



(Signature)

In re Application of:
DOUGLAS E. OTT, et al.,

Filed: February 3, 2000

Serial No. 09/497,620

For: METHOD AND APPARATUS FOR
CONDITIONING GAS FOR MEDICAL
PROCEDURES

Group Art Unit 3763

Examiner M. Thompson

Attorney Docket 1-15368

October 5, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

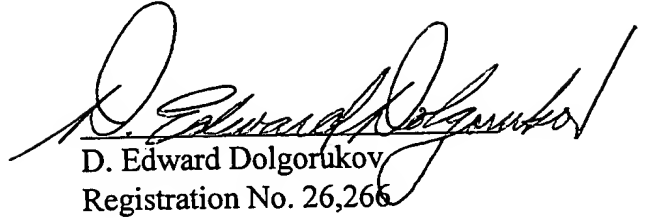
Honorable Sir:

Pursuant to Section 1.97 of Title 37 of the Code of Federal Regulations, record is hereby made of information, which the United States Patent and Trademark Office may wish to consider during examination of the above-entitled application. No representation is made or intended that a prior art search was conducted, or that no better information than that listed is available.

A copy of each document is listed on the attached Form PTO/SB/08B enclosed herewith.
It is requested that they be fully considered and made of record in this case.

The present supplemental information disclosure statement is being filed to supply an English translation of a previously submitted German patent. The German patent was supplied within three (3) months from the date that it was cited in a communication from a foreign patent office in a counterpart foreign application. No fee is believed due.

Respectfully submitted



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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	09/497,620
Filing Date	February 3, 2000
First Named Inventor	Douglas E.Ott,et al.
Art Unit	3763
Examiner Name	M. Thompson
Attorney Docket Number	1-15368

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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